

GA-03.04, "Zero Tolerance," July 1, 2004

SCDC POLICY/PROCEDURE

NUMBER:GA-03.04

TITLE:ZERO TOLERANCE

ISSUE DATE: JULY 1, 2004

RESPONSIBLE AUTHORITY: INSPECTOR GENERAL

OPERATIONS MANUAL: GENERAL ADMINISTRATION

SUPERSEDES:GA-03.04 (January 1, 2004)

RELEVANT SCDC FORMS/SUPPLIES:NONE

ACA/CAC STANDARDS: 4-ACRS-5A-08, 4-ACRS-7C-02, 4-ACRS-7E-07, 3-4048, 3-4061, 3-4344-1, 3-4388-1

STATE/FEDERAL STATUTES: Section 24-3-950, South Carolina Code of Laws, 1976, as amended

THE LANGUAGE USED IN THIS POLICY/PROCEDURE DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS POLICY/PROCEDURE DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY/PROCEDURE, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

PURPOSE: To establish and reinforce the South Carolina Department of Corrections zero tolerance policy toward illegal drugs, alcohol, and related unauthorized property.

POLICY STATEMENT: To promote safety and security of all SCDC employees, inmates, and the general public, the Agency will ensure that there will be zero tolerance toward illegal drugs, alcohol, and related unauthorized property. The SCDC will ensure that anyone found in violation of this policy/procedure is disciplined and/or prosecuted in accordance with all applicable Agency policies/procedures and state and federal statutes. All divisions and institutions will cooperate and share information and resources where applicable to ensure that the maximum efforts of the Agency are directed toward the elimination of illegal drugs, alcohol, and related unauthorized property.

GENERAL PROVISIONS:

1. The South Carolina Department of Corrections has zero tolerance for anyone found possessing, introducing, or attempting to introduce illegal drugs, alcohol, or other related substances considered to be unauthorized property into any SCDC facility, building, or vehicle, or on to any property under the control or jurisdiction of the SCDC. The Agency will vigorously prosecute and/or discipline to the fullest extent anyone found in violation of this provision in accordance with all applicable Agency policies/procedures, and state and federal statutes.

2. The South Carolina Department of Corrections maintains a zero tolerance for all employees regarding the use of illegal drugs. In order to promote this philosophy and to provide for a safe, secure, and drug free workplace, the Agency has established an Employee Drug Testing Program, and Drug as well as Alcohol Testing of commercial vehicle drivers, to assist in the detection and deterrence of illegal drug use by employees. Employees found in violation of this provision will have their employment with the SCDC terminated. Switching, tampering with, or adulterating any specimen or sample collected under the Employee Drug Testing Program, or Drug or Alcohol Testing of commercial vehicle drivers, or attempting to do so, or assisting another in an attempt to do so, is prohibited. Any such effort will result in corrective action up to and including termination pursuant to ADM-11.04, "Employee Corrective Action." (4-ACRS-7C-02, 4-ACRS-7E-07, 3-4048, 3-4061)

3. The South Carolina Department of Corrections is committed to a zero tolerance of illegal drug use or possession by inmates. To further this commitment, the SCDC has developed and implemented a controlled substance testing program, and put into effect sanctions as well as an intervention program designed to prevent, identify, and/or treat inmate drug abuse. (4-ACRS-5A-08, 3-4344-1)

4. The Agency offers several optional programs for inmates who sincerely wish to receive help in dealing with drug abuse/chemical dependency problems, including counseling by SCDC staff and volunteer groups from Narcotics Anonymous and Alcoholics Anonymous, etc. (3-4388-1)

5. The Inspector General, the Division of Security, and all other central office entities with responsibilities for testing, interdiction, treatment, or any intervention toward illegal drugs, alcohol, and related unauthorized property, will communicate regularly and frequently and will share information and resources where applicable. Institutional and central office managers and all SCDC employees will be required to cooperate with Agency efforts to eliminate illegal drugs, alcohol, and related unauthorized property. Visitors, vendors, and other non-employees will be expected to cooperate as well; failure to do so will result in withdrawal of approval to access SCDC property.

6. DEFINITIONS: NONE

SIGNATURE ON FILE

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s/Jon E. Ozmint, Director

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